

**United States Patent and Trademark Office (USPTO)**

**U.S. Application Serial Nos.** 88458653 and 88458681

**Mark:** OPTCONNECT and OPTCONNECT MANAGED  
WIRELESS SOLUTIONS [and design]

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**Applicant:** OptConnect Management, LLC

**Reference/Docket No.** N/A

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**MOTION TO CONSOLIDATE**

Applicant is seeking registration on the Principal Register of two co-pending marks that contain the same wording and that involve essentially the same substantive issue. Specifically, applicant has applied to register, with identical identifications of goods and services in each application, the mark OPTCONNECT in standard characters and a mark consisting of a design element and the wording OPTCONNECT MANAGED WIRELESS SOLUTIONS, the latter three words being disclaimed. Registration has been refused under Section 2(d) of the Trademark Act based on a likelihood of confusion with the mark in Reg. No. 3914101, OPCONNECT in standard characters.

Thus, the cases involve common issues of law and fact, as the issue presented in each case is whether there is a likelihood of confusion between the registered mark OPCONNECT and the applied-for marks, which are, entirely or in substantial part, OPTCONNECT where the identifications of goods and services are identical for each application.

Because the applicant has filed an *ex parte* appeal to the Board in both of these cases and each case involves common issues of law and fact, the examining attorney respectfully requests

that the Board consolidate application Ser. Nos. 88458653 and 88458681 for purposes of efficiency and ease of briefing and prosecution. TBMP § 1214.

Respectfully submitted,

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